



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,268	03/13/2001	Makoto Muraishi	826.1697/JDH	9108

21171 7590 09/29/2003

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 09/29/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,268

Applicant(s)

MURAISHI ET AL.

Examiner

Truc T Chuong

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Wimble et al. (U.S. Patent No. 5,778,230).

As to claims 1 and 14, Wimble teaches a test support apparatus for supporting a test of a screen program using a graphic user interface, comprising:

a test support class generation unit obtaining screen definition information about a test target screen program, and generating a test support class which is a subclass inheriting a class of the test target screen program according to the screen definition information, and a class for testing the test target screen program (hypothesis, col. 7 line 9-col. 8 line 33); and

a test execution unit conducting a test of the test target screen program using the generated test support class (The system performs goals and subgoals, and reports the findings of the goals and subgoals to the user, col. 7 lines 20-65).

As to claim 2, Wimble teaches the apparatus according to claim 1, further comprising a test specification generation unit generating a test specification for the test target screen program according to the screen definition information, and providing the test specification for said test execution unit (col. 7 line 55-col. 8 line 25).

Art Unit: 2174

As to claim 3, Wimble teaches the apparatus according to claim 2, further comprising:
a test report generation unit generating a test report using the test specification generated by said test specification generation unit and a test execution result obtained by said test execution unit (report the user the results, col. 8 lines 24-25).

As to claim 4, Wimble teaches the apparatus according to claim 3, wherein said test support class has a function of supporting input: of input test data (col. 7 lines 15-55).

As to claim 5, Wimble teaches the apparatus according to claim 1, wherein said test support class has a function of recording a test result obtained when a test is conducted (col. 7 lines 20-65).

As to claim 6, Wimble teaches the apparatus according to claim 1, wherein said test support class has a function of visually indicating a test execution portion on a screen (Set a breakpoint, col. 9 lines 37-43).

As to claim 7, Wimble teaches the apparatus according to claim 1, wherein said test support class has a function of conducting a test using new input test data or input data about a previous test execution result (4.1 ImplementGoal, col. 12 lines 9-38).

As to claim 8, Wimble teaches the apparatus according to claim 7, wherein said test support class has a function of displaying a warning when an execution result of a test conducted using the input data about the previous test execution result is different from the previous test execution result (set up a different hypothesis, col. 8 lines 10-11).

As to claim 9, Wimble teaches the apparatus according to claim 1, wherein said test support class has a function of supporting measurement of performance of the test target screen program (reporting of physical low level events, col. 11 lines 19-29).

Art Unit: 2174

As to claim 10, this is a method claim of the apparatus claim 1. Note the rejection of claim 1 above.

As to claim 11, this is a computer program product claim of the apparatus claim 1. Note the rejections of claim 1 above.

As to claim 12, this is a computer program product claim of the apparatus claims 1 and 4. Note the rejections of claims 1 and 4 above.

As to claim 13, this is a system claim of the apparatus claims 1 and 4. Note the rejections of claims 1 and 4 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Freyburger (U.S. Patent No. 6,405,368) teaches template, testing, definition, executable program, and debugging (cols. 1-6 and figs. 1C-10B).

Maulsby et al. (U.S. Patent No. 5,710,894) teach generating software, test class, environment, and tool (cols. 3-41 and figs. 1-29).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

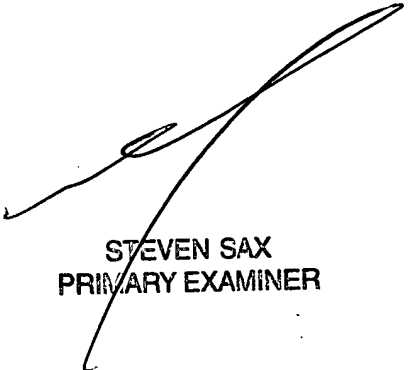
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2174

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

09/17/03



STEVEN SAX
PRIMARY EXAMINER